

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed July 13, 2005. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Claim Rejections - 35 U.S.C. § 112, First Paragraph**

Claims 1-31 have been finally rejected under 35 U.S.C. § 112, first paragraph, for allegedly containing subject matter that was not originally disclosed by Applicant. Although Applicant disagrees, Applicant has amended the claims to clarify that an electronic message is composed by the "hard copy output engine processor" instead of a human being. In view of those amendments, Applicant requests that the rejection to claims 1-31 be withdrawn.

### **II. Claim Rejections - 35 U.S.C. § 102(e)**

Claims 1, 2, 4, 5-9, 11-16, 18-23, 26, and 29 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Ohtani (U.S. Pat. No. 6,108,0999). Applicant respectfully traverses this rejection.

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

As is indicated above, several amendments have been made to the claims. In view of those amendments, the rejection is moot as having been directed to the claims in a previous form. Applicant notes, however, that Ohtani at least does not teach a first

hard copy output engine that detects a first status of a portion of the first hard copy output engine, receives a second status detected by a separate, second hard copy output engine, composes an electronic message including both the detected first and second status, and transmits the electronic message over a network. Applicant's claims are believed to be allowable over Ohtani for at least this reason.

### **III. Claim Rejections - 35 U.S.C. § 103(a)**

#### **A. Rejection of Claims 3, 10, 17, 24, 25, 27, 28, 29, 30, and 31**

Claims 3, 10, 17, 24, 25, 27, 28, 30, and 31 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohtani in view of Hayward (U.S. Pat. No. 6,629,134). Applicant respectfully traverses this rejection.

As is indicated above, several amendments have been made to the claims. In view of those amendments, the rejection is moot as having been directed to the claims in a previous form. Applicant notes, however, that neither Ohtani nor Hayward teach a first hard copy output engine that detects a first status of a portion of the first hard copy output engine, receives a second status detected by a separate, second hard copy output engine, composes an electronic message including both the detected first and second status, and transmits the electronic message over a network. Applicant's claims are believed to be allowable over Ohtani/Hayward for at least this reason.

As a further matter, Applicant notes that neither Ohtani nor Hayward teach detecting a future need for preventative maintenance to be performed on components of the first hard copy output engine, as is described by claims 3, 10, 17, 24-25, 27-28, and 30-31. Although the Examiner correctly states that Hayward teaches detecting a low-ink condition, such a condition does not equate to a condition in which

“preventative maintenance” is to be performed on “components” of a hard copy output engine. Specifically, replenishing a consumable is not performing “maintenance”.

**B. Rejection of Claims 1, 8, and 15**

Claims 1, 8, and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayward in view of Ohtani. Applicant respectfully traverses this rejection.

As is indicated above, several amendments have been made to the claims. In view of those amendments, the rejection is moot as having been directed to the claims in a previous form. Applicant notes, however, that neither Hayward nor Ohtani teach a first hard copy output engine that detects a first status of a portion of the first hard copy output engine, receives a second status detected by a separate, second hard copy output engine, composes an electronic message including both the detected first and second status, and transmits the electronic message over a network. Applicant’s claims are believed to be allowable over Hayward/Ohtani for at least this reason.

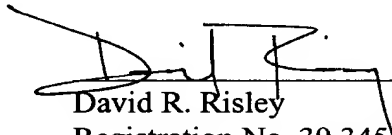
**IV. Canceled Claims**

Claims 22-23 have been canceled from the application without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

### CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

9-21-05  
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Signature